

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

DONALD J. TRUMP FOR
PRESIDENT, INC., *et al.*,

Plaintiffs,

v.

KATHY BOOCKVAR, in her capacity
as Secretary of the Commonwealth of
Pennsylvania, *et al.*,

Defendants.

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) Civil Action No. 4:20-cv-02078-
) MWB

)
) Judge Matthew W. Brann

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) Electronically Filed
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**SECRETARY OF THE COMMONWEALTH
KATHY BOOCKVAR'S MOTION TO DISMISS**

Defendant Secretary of the Commonwealth Kathy Boockvar, by and through her undersigned counsel, hereby moves for abstention and dismissal of all claims in the Complaint in this action pursuant to Rule 12(b) of the Federal Rules of Civil Procedure. In accordance with Local Rule 7.5, the grounds supporting this motion are set forth in the supporting memorandum of law filed herewith.

Dated: November 12, 2020

Respectfully submitted,

KIRKLAND & ELLIS LLP

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*Counsel for Kathy Boockvar,
Secretary of the Commonwealth*

CERTIFICATE OF NONCONCURRENCE

I hereby certify that I sought the concurrence of counsel for Plaintiffs,
Ronald Hicks, Esquire, in this Motion. Mr. Hicks does not concur in this Motion.

Date: November 12, 2020

/s/ Daniel T. Brier

Daniel T. Brier

CERTIFICATE OF SERVICE

I hereby certify that on November 12, 2020, a copy of the foregoing was filed electronically. Notice of this filing will be sent to all parties who have appeared in this action via the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/ Daniel T. Brier

Daniel T. Brier